

KATE McKENNA, AICP
Executive Officer

**MINUTES OF THE
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**

Adopted on January 26, 2009

***An audio recording of this meeting is available at the LAFCO office. Please contact us
at (831) 754-5838 to arrange a time to listen or to order a copy.***

Special Meeting

Tuesday, November 25, 2008, 4:00 p.m.

**Board of Supervisors Chambers
Monterey County Government Center
168 West Alisal St., First Floor
Salinas, California**

The meeting of the Local Agency Formation Commission (LAFCO) of Monterey County was called to order, by Chair Donohue at 4:06 p.m. in the Monterey County Board of Supervisors Chambers. Prior to the Pledge of Allegiance, Chair Donohue requested a moment of silence in remembrance of Jerry Smith, on the anniversary of his passing. Chair Donohue led the Pledge of Allegiance.

ROLL CALL

Members Present

Commissioner Donohue, Chair (*City Member*)

Commissioner Salinas, Vice-Chair (*County Member*)

Commissioner Calcagno (*County Member*)

Commissioner Champion (*Special District Member*)

Commissioner Darington, Alternate (*Public Member*)

Commissioner DiMaggio (*Public Member*)

Commissioner Perkins (*Special District Member*)

Commissioner Rubio (*City Member*)

Members Not Present, Presence Not Required

Commissioner Armenta, Alternate (*County Member*)

Commissioner Gourley, Alternate (*City Member*)

Staff Present

Kate McKenna, AICP, Executive Officer

Thom McCue, AICP, Senior Analyst

Leslie Girard, LAFCO General Counsel

Richard Egger, LAFCO Special Counsel

Rachelle Jones, LAFCO Clerk

LAFCO General Counsel Girard announced that he would not advise the Commission during the hearing in order to avoid the perception of a conflict of interest on his part. He announced that Special Counsel Richard Egger from the law firm Best, Best and Krieger LLP would advise the Commission during the hearing.

Item 4 : Closed session

Pursuant to Government Code Section 54956.9 (b) – Significant Exposure to Litigation

The Commission conferred with Special Counsel Regarding One Matter Involving Significant Exposure to Litigation.

The meeting was called into closed session by Chair Donohue.

Chair Donohue reconvened the meeting from closed session with no reportable action taken during closed session.

Item 5: Public Hearing

Consideration of the Proposal to Incorporate the Town of Carmel Valley (LAFCO File No. 03-10)

- (1) Receive an oral report and presentations from the Executive Officer and Fiscal Consultant;**
- (2) Open the public hearing;**
- (3) Close the public hearing;**
- (4) Allow for Commission discussion;**
- (5) Adopt a Resolution [Attachment A]:**
 - Determining that the proposed Incorporation is not a “project” within the meaning of the California Environmental Quality Act, and therefore, “does not trigger environmental review,” and further that even if the proposed Incorporation did constitute a project, “there is no substantial evidence in the whole record of any potential effect on the physical environment,” consistent with a Superior Court ruling in *Carmel Valley Forum, Inc. v. LAFCO of Monterey County*;**
 - Making findings and determinations, and setting terms and conditions;**
 - Approving the incorporation of the Town of Carmel Valley;**
 - Determining a Sphere of Influence [Exhibit A of Resolution];**
 - Setting the Town boundary [Exhibit B of Resolution] with the following adjustments to the proposed boundaries:**
 - a. Remove the Coast Ranch (by Highway One) from the boundaries;**
 - b. Remove the Salinas Rural Fire Protection District from the boundaries;**
 - c. Remove the Santa Lucia Community Services District from the boundaries;**
 - d. Include all of Garland Ranch Regional Park in the boundaries;**

- e. For parcels that would be split by the proposed boundary, remove 18 parcels with less than 50 percent of land area in the Carmel Valley Master Plan. Include 29 parcels with more than 50 percent of land area inside the boundary;
 - f. Where the boundary is along a road, include the entire road right-of-way within the boundary. This applies to two short segments: one along Carmel Valley Road and the other on Laureles Grade; and
 - g. Remove a 1.2 acre State Parks-owned parcel, APN 015-151-012, at the northeast corner of Highway 1 and Carmel Valley Road, due to its location within the Sphere of Influence of the City of Carmel-by-the-Sea.
 - Requesting that the Monterey County Board of Supervisors set an election to: a) ratify the incorporation and b) elect a Town Council pending the incorporation's ratification; and
- (6) Direct the Executive Officer to prepare an impartial ballot analysis for Commission approval and submittal to the Monterey County Registrar of Voters.

Members of the public submitted written comments and other documents to the Commission at the beginning of the hearing.

Executive Officer McKenna provided staff report with PowerPoint presentation. Richard Berkson of Economic Planning Systems provided report on the update to the Comprehensive Fiscal Analysis for the Proposed Town of Carmel Valley.

Chair Donohue allowed for a presentation by the Carmel Valley Forum prior to opening this item for public comment. Larry Bacon provided presentation for the Forum.

Chair Donohue opened this item to public comment.

The following people provided public comment on the proposal and in the process identified themselves as proponents or opponents of the proposal:

PROPONENTS	
Mike Raydo	Christine Williams
Charlie Ludeman	Mike McMillan
Lee Lotz	Milt Kegley
Emily Robinson	Rob Cooper
Elizabeth Robinson	Charles Franklin
Neil Agron	Gordon Dickie

Randy Randazzo	James Greco
Dale Agron	Margaret Robbins
Konny Murray	Pat Miles
Darby Worth	Anne Greene
Sharon Bacon	Rod Mills
Roland Martin	Janet Brennan
Todd Norgaard	Julia Batchev
Robert Greenwood	

OPPONENTS	
Lawrence Samuels	Jacqueline Zischke
Lawson Little	Thomas McCullough
Frank Lunding	James Edison
Roy Kaminski	Thomas C. White, Ph.D., C.P.A.
Jim Miller	Mel Steckler
Wayne Chapman	Ernest Bizzozero
Roberta Sinotte	David Churchill
Victoria Peach	Bruna Odello
Bob Sinotte	Jim Miller

Michael Addison	Marjorie Longo
Paul Ingram	Bill Colohan
Jim Bracher	Dean Maxinoski

Karin Strasser Kauffman provided closing comments for the Carmel Valley Forum.

Chair Donohue closed this item to public comment.

Chair Donohue called a 5 minute recess.

Commissioner Comment and Action

Commission commented on the amount of information that was presented at this meeting both in the form of public comment and documents. They agreed that the amount of information provided needed additional time for review.

Upon Motion of Commissioner Calcagno, seconded by Commissioner Perkins, Consideration of the Proposal to Incorporate the Town of Carmel Valley (*LAFCO File No. 03-10*) was unanimously continued to the next regular LAFCO meeting to be held on Monday, December 1, 2008 with the public comment period for this public hearing item to remain closed.

Item 6: Adjournment

On motion of Chair Donohue, there being no objection, the meeting was unanimously adjourned at 7:11 p.m. to the next Regular LAFCO Meeting to be held on Monday, December 1, 2008 at 4:00 p.m. in the Board of Supervisors Chambers, 168 W. Alisal St., First Floor, Salinas, California

Respectfully Submitted,

Rachelle Jones
LAFCO Clerk